

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: S.C.M. Lin

Certificate of Transmission
Pursuant to 37 C.F.R. § 1.8

Serial No.: 10/092,685

For: Electrical Contact
Arrangement for
Hearing Instruments

I hereby certify that this paper is being
uploaded to EFS-Web this day.

/Joel Miller/

July 11, 2007

Signature

Date of Signature

Filed: March 7, 2002

Art Unit: 2646

Joel Miller

29,955

Attorney Name

Reg. No.

Examiner: Phylesha L. Dabney

Att'y Dkt.: 2002 P 3667 US 02

Pre-Appeal Brief Request for Review

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via EFS-Web

Sir:

Applicant requests review of the final rejection of claims 1-12.

No amendments are being filed with this request. A notice of appeal
accompanies this request.

Claims 1-12 stand rejected as anticipated by U.S. Patent No. 6,678,386
(Robinson et al.). As explained on pp. 6-7 of the applicant's response dated
July 27, 2006, the claims distinguish over the reference, as Robinson et al.
does not disclose, teach, or suggest an electrical contact or assembly "adjacent
and conforming to the contour of the battery door" and "partially embedded in
the faceplate." Claims 1, 5, and 9. Moreover, the claims recite that the
electrical contact or contact assembly "conform[s]" to the contour of the

battery door, not that it “touches” the door, as implied by the “Response to Arguments.” Office Action, June 28, 2007, pp. 3-4 (“clearly touching”).

Further, element 140 of Robinson et al. is mischaracterized as the battery door (Office Action, June 28, 2007, p. 2, fourth paragraph, line 2; Response to Arguments, pp. 3 and 4). Element 140 is a “retaining flange” of the battery portion 100. Robinson et al., col. 4, line 7. Also, the office action incorrectly equates the hump 326 of Robinson et al. with the applicant’s terminal portions 44, 54, and 64 (application, p. 3, line 8, Figures 1-5). The hump 326 makes contact with a programmable cable 500 (Robinson et al., col. 5, lines 59-62), while the applicant’s terminal portions provide locations for attaching wires to other portions of the hearing instrument or serving as a battery contact (application, p. 4, lines 3-8).

Conclusion

For at least the foregoing reasons, the claims are neither anticipated nor rendered obvious by the art. Reconsideration is requested.

Dated: July 11, 2007

Respectfully submitted,

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